THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION No.27209 of 2007

20-12-2007

Between:
M.Ravinder.

.... PETITIONER

AND

The Depot Manager, APSRTC, Karimnagar-I Depot, Karimnagar District.

...RESPONDENTS

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION No.27209 of 2007

O R D E R:

In this writ petition, the petitioner questions the award of the Industrial Tribunal-cum-Labour Court, Godavarikhani, in I.D.No.25 of 2000 dated 31-10-2001, confirming the order of removal of the petitioner from service.

The petitioner was working as a Conductor in the respondent-Corporation. While the petitioner was conducting the bus between Karimnagar and Utnoor on 19-04-1998, a check was exercised and found that though he collected fare from two passengers, he had issued unconcerned tickets. On the basis of the above charge, a domestic enquiry was conducted and an order of removal was passed on
31-08-1998. Aggrieved thereby, he invoked the jurisdiction of the Labour Court under Section 2-A(2) of the Industrial Disputes Act, 1947 (for short 'the Act'). The Labour Court, by order dated 21-09-2001, dismissed the I.D. confirming the order of removal.

Heard the learned counsel for the petitioner.

Though the award was passed as early as on 21-09-2001, the petitioner has not questioned the same for several years. There is abnormal delay on the part of the petitioner in approaching this Court and the only explanation offered by him is that he was not aware of passing of the award. The petitioner having invoked the jurisdiction of the Labour Court under Section 2-A(2) of the Act, he ought to have taken steps within reasonable time if he was aggrieved by the award of the Tribunal. Inasmuch as the award was passed as early as on 21-09-2001 and as no explanation is forthcoming for the inordinate delay occurred, without going into the merits of the case, the writ petition is liable to be dismissed on the ground of delay and laches.

The Writ Petition fails and is accordingly dismissed. No order as to costs.

20-12-2007

usd